

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA) Case No. 1:01-CR-124
)
)
vs.)
)
)
BRYAN SCOTT SAMPLES) JUDGE COLLIER

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on January 18, 2007, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for a Warrant or Summons for an Offender Under Supervision of Supervising U.S. Probation Officer James M. Kelly. Those present for the hearing included:

- (1) AUSA Gregg Sullivan for the USA.
- (2) The supervised releasee, BRYAN SCOTT SAMPLES.
- (3) Attorney Rita LaLumia with Federal Defender Services of Eastern Tennessee for defendant.
- (4) Deputy Clerk Russell Eslinger.

After being sworn in due form of law, the supervised releasee was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Attorney LaLumia was appointed to represent the defendant. It was determined that defendant had been provided with and reviewed with counsel a copy of the Petition for a Warrant or Summons for an Offender Under Supervision. It was also determined the defendant was capable of being able to read and understand the documents he had been provided.

Defendant waived his right to a preliminary hearing and detention hearing.

AUSA Sullivan moved the defendant be detained without bail pending his revocation hearing before U.S. District Judge Curtis L. Collier.

Findings

Based upon the petition and defendant's waiver of preliminary hearing, the undersigned finds there is probable cause to believe the defendant has committed violations of his conditions of supervised release as alleged in the petition.

Conclusions

It is ORDERED:

- (1) The supervised releasee shall appear for a revocation hearing before U.S. District Judge Curtis L. Collier.
- (2) The motion of AUSA Sullian that defendant be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Collier is GRANTED.
- (3) The U.S. Marshal shall transport defendant to a revocation hearing before Judge Collier on **Thursday, February 8, 2007 at 9:00 a.m.**

ENTER.

s/Susan K. Lee _____

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE